

FILED  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

2004 DEC 13 P 2:24

MARLENE JOHANSEN

Plaintiff

v.

Civil Action No. 04-11789-RCL

UNITED STATES OF AMERICA

Defendant

**PLAINTIFFS' CERTIFICATION OF CONFERENCE PURSUANT TO RULE 16.1  
OF THE RULES OF THE UNITED STATES DISTRICT COURT  
FOR MASSACHUSETTS**

The Plaintiff's counsel submits this certification in accord with Rule 16.1(D)(3). Ms. Johansen and counsel have conferred on the costs of the subject litigation and recognize that due to the unique nature of her claim that the establishment of a budget for the costs of conducting the full course-and the various alternative courses-of the litigation is impossible.

Further, this matter raises novel questions of law and therefore alternative dispute resolution programs will not provide the relief requested.

Dated:

12-10-04

  
Marlene Johansen

Marlene Johansen  
by her Attorney

\_\_\_\_\_  
Timothy J. Burke  
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(781) 380-0770

Dated:

12/10/04

**Certificate of Service**

I hereby certify that a true copy of the above document was  
served upon each attorney of record via first class mail on

12/10/04

\_\_\_\_\_  
Timothy Burke